

PDC Law and Rule Change Highlights

[underlining denotes change]

Changing from Mini Reporting to Full Reporting Option. If a candidate or political committee wishes to change from mini to full reporting and the completed application for changing options is received by the Commission on or before 30 business days prior to the election, the application will be approved by the executive director. Approval to change reporting options received by the Commission on or after 29 business days prior to the election will **only be approved** under the following circumstances:

- Commission staff failed to notify candidates of the ability to change options at least 40 business days prior to the election;
- A write-in opponent has filed for office within 30 business days of the election;
- An independent expenditure is made in support of the applicant's opponent or in opposition to the applicant within 30 business days of the election;
- A candidate's opponent has been approved to change reporting options; or
- A political committee on one side of an election campaign or proposition has opposition who received approval to change reporting options.

[WAC 390-16-125]

Public Inspection of Campaign Records. Candidates and political committees no longer have to make their campaign books available for a specified two-hour inspection period on the eight day before an election. Instead, a candidate's or political committee's books of account must be kept current within one business day and available for public inspection by appointment during the eight days immediately preceding the date of the election (Saturday, Sunday, and legal holidays are excluded). Inspection will occur at the address designated on the C-1 or C-1pc and the appointment must be allowed within twenty-four hours of the request. [RCW 42.17.080(5)] *This change is effective July 24, 2005, but will not be reflected on the C-1 or C-1pc forms until 2006.*

Affiliated Entities and Campaign Contribution Limits [effective July 1, 2005]. Two or more entities are treated as a single entity if one of the two or more entities is a subsidiary, branch, or department of a corporation that is participating in an election campaign or making contributions, or a local unit or branch of a trade association, labor union, or collective bargaining association that is participating in an election campaign or making contributions. All contributions made by a person or political committee whose contribution or expenditure activity is financed, maintained, or controlled by a trade association, labor union, collective bargaining organization, or the local unit of a trade association, labor union, or collective bargaining organization are considered made by the trade association, labor union, collective bargaining organization, or local unit of a trade association, labor union, or collective bargaining organization. [RCW 42.17.660(2) as amended by ESSB 5034]

Disposal of Surplus Funds. The surplus funds of a candidate, or of a political committee supporting or opposing a candidate, may only be disposed of in any one or more of the following ways:

- returned to the contributor;
- reimburse the candidate for lost, documented earnings incurred as a result of the campaign;
- transferred without limit to a political party or to a caucus political committee;
- donated to a charitable organization;
- transmitted to the state treasurer for deposit in the general fund, the oral history, state library, and archives account under RCW 43.07.380, or the legislative international trade account under RCW 44.04.270, as specified by the candidate or political committee;
- used in a future election campaign for the same office last sought by the candidate or for a different office after obtaining written permission of the contributor; or
- used to make nonreimbursed office-related expenses.

[RCW 42.17.095 as amended by ESSB 5140]

Electronic Filing. Political committees, including ballot measure committees, that expended \$10,000 or more last year, or expect to spend \$10,000 or more during this year and candidates who expect to spend \$10,000 or more or exceeded that threshold in their last campaign for the same office are required to submit campaign finance reports electronically. RCW 42.17.3691. The Commission may make exceptions, on a case-by-case basis only for **CANDIDATES** whose authorized committees lack the technological ability to file reports using the electronic alternative provided by the Commission. Candidates and committees that file electronically with the PDC do not need to file copies with their county auditor.